IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. REVISION APPLICATION NO. 107 OF 2004

The State of Maharashtra .. Applicant.

V/s.

Nagesh Shabu Jadhav & Ors. .. Respondents.

Shri K.V. Saste, APP for the Applicant -State.
Shri N.J. Patil for Respondents 1,2 to 4 & 7.
Shri Brijesh Dwivedi h/f Khandeparkar & Associates for Respondents 5, 6 and 8.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 28, 2005

PC :-

. Heard counsel for the parties.

. There is no infirmity in the approach of the court below as the same is consistent with the legal position stated by the Apex Court in the case of Chaturi Yadav vs. State of Bihar, reported in AIR 1979 Supreme Court Cases pg.1412. No material has been brought to my notice to indicate that there was evidence against the accused of making preparation for the purpose of committing dacoity or any other evidence so as to accomplish that object. The second reason that has weighed with the court below is also

consistent with the reported decision, as referred in para 6 of the said judgment. Not a case for interference in revision. Hence, dismissed.

. Ordered accordingly.

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